

REMARKS

Claims 1-18 are pending.

Claims 1, 2, 10, 16 and 18 stand rejected under 35 U.S.C. §112 as having insufficient antecedent basis for various recitations.

Claims 1, 7, 10 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,006,994 to Campbell et al. (Campbell) in view of U.S. Patent Application Publication No. 2001/0049636 to Hudda et al (Hudda). Claims 2-6, 8-9 and 11-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell in view of Hudda, and further in view of U.S. Patent Application Publication No. 2002/0186845 to Dutta et al. (Dutta). Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell, Hudda, Dutta, and further in view of Official Notice.

Applicants have amended independent Claims 1, 10 and 18 for clarification.

Applicants respectfully traverse the §112 and §103 rejections for the reasons set forth below.

§112 Rejections Are Overcome

Claims 1, 2, 10, 16 and 18 stand rejected under 35 U.S.C. §112 as having insufficient antecedent basis for various recitations. Applicants have amended Claim 1 to recite "receiving the alert from the credit card account database." Applicants presume the Examiner intended to reject Claim 3 instead of Claim 2 regarding the recitation "the account server." Applicants have amended Claim 3 to recite "a gateway in communication with the wireless subscriber account server and the wireless device." Applicants have amended Claim 10 to recite "transmitting the message to the wireless device of the wireless subscriber." Applicants have amended Claim 16 to recite "wherein the message is transmitted when the credit card account is past due." Applicants have amended Claim 18 to recite "means for transmitting the message to the wireless device of the wireless subscriber."

In view of the above, Applicants respectfully assert that the §112 rejections are overcome.

§103 Rejections Are Overcome

Independent Claims 1, 10 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell in view of Hudda. Applicants respectfully traverse the rejection on the basis that Campbell and Hudda, alone or in combination, fail to disclose or suggest all of the recitations of amended independent Claims 1, 10 and 18. For example, amended Claim 1 recites a credit alert system, comprising:

a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, *wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account*;

a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and
an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a wireless device of a subscriber in response to receiving the alert from the credit card account database.

Independent Claims 10 and 18 have been similarly amended.

The primary reference, Campbell, describes an automated receivables management system that uses an electronic network to provide a self-service collection environment using an electronic network, such as the Internet or PCS, as a medium for communication and transaction execution. The Campbell system provides comprehensive collections services in a fully automated fashion, including account decisioning, treatment specification, communication channel specification, and communication to the customer with a method for payment/response from the customer using the electronic channel. Campbell specifically states that "the present invention provides the ability to e-mail or otherwise electronically send a notice to the delinquent, overlimit or special status customer." (Col. 8, Lines 7-11). Thus, the Campbell system *already has a customer's contact information*.

In sharp contrast, the credit alert system as set forth in Claim 1 is utilized by credit card companies that *do not know or have access to customer contact information*, specifically a customer's wireless device information. As recited in independent Claim 1, Applicants' credit alert system utilizes a wireless subscriber account server for receiving an alert from a credit card account database, *wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account*. A wireless subscriber account database that stores wireless

subscriber account information is in communication with the wireless subscriber account server. An application module is in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a wireless device of a subscriber in response to receiving an alert from the credit card account database. Thus, according to exemplary embodiments, a credit card company sends a credit card alert to the wireless subscriber account server. The application module accesses the wireless subscriber account database to identify the wireless subscriber associated with the credit card alert and then sends a message to the wireless device of the identified wireless subscriber.

The secondary reference, Hudda, fails to make up for the deficiencies of Campbell. Hudda describes a system for purchasing goods and services in a wireless fashion while the consumer is in-store at a retailer's establishment or remotely through wireless interaction with the retailer. (Hudda, Para. 0056). Hudda is silent with respect to a system for purchasing goods and services that allows consumers to receive unsolicited messages regarding important changes to their credit card or other line of credit status. Consequently, even if the teachings of Campbell were combined with those of Hudda, as now suggested by the Action, the resultant combination would still lack Applicants' variously claimed features relating to a credit card account.

As such, independent Claim 1 is not rendered obvious by the combination of Campbell and Hudda. Applicants respectfully assert that the rejection of independent Claim 1 under 35 U.S.C. §103 is overcome. Additionally, Applicants submit that dependent Claims 2-9 are patentable at least by virtue of the patentability of independent Claim 1, from which they depend and respectfully request the allowance thereof. For at least the same reasons described above with respect to independent Claim 1, Applicants respectfully assert that independent Claims 10 and 18, and all claims depending therefrom, are not rendered obvious by the combination of Campbell and Hudda.

Various Dependent Claims are Separately Patentable

The dependent claims are patentable at least per the patentability of the independent claims from which they depend. Moreover, many of the dependent claims are separately patentable.

The Action cites Dutta in combination with Campbell and Hudda in support of the rejections of dependent Claims 2-6, 8-9, and 11-16. However, Dutta fails to make up for the deficiencies of Campbell and Hudda at least because it, too, is silent with respect to a system that allows consumers to receive unsolicited messages regarding important changes to their credit card or other line of credit status. Dutta describes remotely disabling and enabling access to secure transaction functions of a mobile terminal. (Dutta, Abstract).

With respect to Claims 2 and 11, the combination of Campbell, Hudda and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database. As such, Claims 2 and 11 are patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claims 3 and 12, the combination of Campbell, Hudda and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database, and wherein the message is communicated to the WAP enabled wireless device via a gateway in communication with the wireless subscriber account server and WAP enabled wireless device. As such, Claims 3 and 12 are patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claims 4 and 13, the combination of Campbell, Hudda and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database, wherein the message is communicated to the WAP enabled wireless device via a gateway in communication with the wireless subscriber account server and WAP enabled wireless device, and wherein the gateway includes a push proxy. As such, Claims 4 and 13 are patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 5, the combination of Campbell, Hudda and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database, wherein the message is communicated to the WAP enabled wireless device via a gateway in communication with the wireless subscriber account server and WAP enabled wireless device, and wherein the gateway includes a WAP push proxy. As such, Claim 5 is patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 14, the combination of Campbell, Hudda and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application

module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account when the credit card account exceeds a predetermined amount; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 14 is patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 15, the combination of Campbell, Hudda and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon non-receipt of a credit payment; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 15 is patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 16, the combination of Campbell, Hudda and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon the credit card account's designation as past due; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 16 is patentable over Campbell, Hudda and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 9, the combination of Campbell, Hudda and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless

subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a wireless device of a subscriber in response to receiving an alert from the credit card account database, and wherein the wireless device is a portable computer having a wireless modem. As such, Claim 9 is patentable over Campbell, Hudda and Dutta for at least this additional reason.

With respect to Claim 17, the combination of Campbell, Hudda, Dutta and Official Notice fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon suspension of the credit card account; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 17 is patentable over Campbell, Hudda, Dutta and Official Notice for at least this additional reason.

In re: A. Chet McQuaide et al.
Serial No.: 10/090,180
Filed: March 4, 2002
Page 12 of 12

Conclusion

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



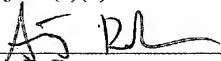
Needham J. Boddie, II
Registration No. 40,519
Attorney for Applicants

Customer Number 39072

Myers Bigel Sibley & Sajovec, P.A.
P.O. Box 37428
Raleigh, NC 27627
919-854-1400
919-854-1401 (Fax)
Doc. No. 662833

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4) to the U.S. Patent and Trademark Office on **June 13, 2008**.



Anthony DeRosa